

UNITED STATES DISTRICT COURT
District of Maine

DAVID JACKSON,)
)
)
Movant)
)
)
v.) 2:13-cv-00383-GZS
) 2:06-cr-00094-GZS
UNITED STATES OF AMERICA,)
)
)
Respondent)
)

**ORDER AFFIRMING THE
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge filed with the Court on October 18, 2013, her Recommended Decision (ECF No. 153). Movant filed his Objection to the Recommended Decision (ECF No. 154) on November 1, 2013.

I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in her Recommended Decision, and determine that no further proceeding is necessary.

1. It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **AFFIRMED**.
2. It is hereby **ORDERED** that Movant's Motion under 28 U.S.C. §2255 is **DISMISSED WITHOUT PREJUDICE**.

3. It is also **ORDERED** that a certificate of appealability shall not issue in the event Movant files a notice of appeal because there is no substantial showing of a denial of a constitutional right within the meaning of 28 U.S. C. § 2253(c).

/s/George Z. Singal

U.S. District Judge

Dated this 19th day of November, 2013.